

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

USAMA J. HAMAMA, et al.,

Petitioners,

vs.

Case No. 17-cv-11910

HON. MARK A. GOLDSMITH

REBECCA ADDUCCI, et al.,

Respondent.

ORDER DENYING PETITIONERS' MOTION FOR DISCOVERY (Dkt. 160)

The Court has reviewed Petitioners' motion for discovery (Dkt 160), which seeks certain discovery for use in their reply brief in support of their motion for class certification. They seek information regarding the identity and number of individuals who would fall within their proposed subclass for mandatory detainees, as it may bear on the numerosity issue. The Government opposes the motion on several grounds, including the burden and time it would take to assemble the information, and the asserted lack of need for purposes of resolving that motion. Petitioners acknowledge that the information may not be necessary and do not wish to delay the filing of their reply brief, given the time sensitivity of the detention issue. The Court agrees that briefing should proceed as scheduled, so that the pending motions for class certification, dismissal, and preliminary injunction can be heard at the earliest opportunity. Given the unclear necessity of the requested information at this juncture, the time sensitivity of the issues being raised, and the burden to the Government in the light of these other factors, the Court will not now order the discovery sought by Petitioners. The Court denies the motion without prejudice to renewal of the motion should developments demonstrate the necessity of obtaining that information.

SO ORDERED.

Dated: December 8, 2017
Detroit, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on December 8, 2017.

s/Karri Sandusky _____
Case Manager